

REMARKS/ARGUMENTS

Claims 1-19 are pending. Claims 8, 11, 15, and 18 are amended herein. No new matter is added as a result of the Claim amendments.

Allowable Subject Matter

The Applicants wish to thank the Examiner for indicating the allowable subject matter of Claims 16 and 18.

Oath/Declaration

The title of the application is changed herein to match that of the oath/declaration.

Specification

The specification is objected due to the use of the word "said" in the abstract of the disclosure. The abstract of the disclosure is amended herein. Accordingly, the Applicants respectfully submit that the objection to the specification is traversed.

Claim Objections

Claims 10 and 18 are objected to for informalities. More specifically, Claim 10 is objected to for a lack of antecedent basis. Claim 18 is objected to for reciting a previously recited claim limitation. Claims 8 and 18 are amended herein to address the objections. Accordingly, the Applicants respectfully request withdrawal of the objections to Claims 10 and 18.

35 U.S.C. § 112 Rejections

Claims 3 and 10 are rejected under 35 U.S.C. § 112, first paragraph for failing to comply with the enablement requirement. The Applicants respectfully submit that the claim limitations

recited in Claims 3 and 10 are described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. More specifically, the claim limitations recited in Claims 3 and 10 are described in the specification on page 10, lines 3-8 which state:

In another embodiment, the active fan motor is used as a drive mechanism. For example, in one embodiment, upon determining the failure of fan motor 304, fan motor 306 is activated with relatively low power and/or low speed. Fan motor drive gear 305 may engage with teeth disposed upon fixed platform 311 so that upon activation, fan motor 306 is moved from a disengaged position to an engaged position.

Accordingly, the Applicants assert that Claims 3 and 10 comply with the enablement requirement under 35 U.S.C. § 112, first paragraph and respectfully request withdrawal of the claim objections to Claims 3 and 10.

35 U.S.C. § 102 Rejections

Claims 1, 2, 4, 5, 8, 9, 11, and 12 are rejected under 35 U.S.C. § 102 (e) as being anticipated by Winkel et al., (U.S. Patent 6,819,017), hereinafter referred to as "Winkel." The Applicants respectfully submit that Winkel does not teach or suggest a fan motor selector mechanism which is configured to selectively couple a first fan motor or a second fan motor to a fan as recited in independent Claim 1. Similarly, the Applicants respectfully submit that Winkel does not teach or suggest a fan motor selector mechanism which is configured to selectively dispose a first fan motor or a second fan motor in an orientation for driving a fan as recited in independent Claim 8.

The Applicants respectfully submit that Winkel clearly shows that the fan motors (e.g., 230 and 235) are coupled with a common fan hub (e.g., 250). When a first fan motor (e.g., 230) fails, the second fan motor (e.g., 235) continues to drive the fan via fan hub 250. The Applicants respectfully submit that the teaching of Winkel shows that the failed fan motor continues to be engaged with fan hub 250 and is still in an orientation for driving the fan via fan hub 250, even after

the second fan motor becomes the sole drive motor for the fan. Thus, Winkel does not teach or suggest that a fan motor is selectively coupled with the fan, as recited in Claims 1 and 8 of the present invention, but instead teaches that the failed fan remains coupled to the fan even after failure of the fan motor. Accordingly, the Applicants respectfully submit that Claims 1 and 8 are not anticipated by Winkel and overcome the rejection under 35 U.S.C. § 102 (e).

Claims 2, 4, and 5 depend from independent Claim 1 and recite additional limitations descriptive of embodiments of the present invention. Accordingly, the Applicants respectfully submit that Claims 2, 4, and 5 are not anticipated by Winkel and overcome the rejection under 35 U.S.C. § 102 (e).

Claims 9, 11, and 12 depend from independent Claim 8 and recite additional limitations descriptive of embodiments of the present invention. Accordingly, the Applicants respectfully submit that Claims 9, 11, and 12 are not anticipated by Winkel and overcome the rejection under 35 U.S.C. § 102 (e).

Claims 8, 9, 11, and 12 are rejected under 35 U.S.C. § 102 (b) as being anticipated by Gunn et al., (U.S. Patent 5,436,827), hereinafter referred to as "Gunn." Independent Claim 8 is amended herein and recites:

- a fan motor subassembly comprising a first fan motor and a second fan motor;
- a fan motor selector mechanism coupled to said fan motor subassembly, said fan motor selector mechanism configured to selectively dispose said first fan motor or said second fan motor in an orientation for driving a fan;
- a control unit coupled to said fan motor selector mechanism, said control unit configured to control said fan motor selector mechanism such that either of said first fan motor and said second fan motor is disposed in said orientation for driving said fan.

The Applicants respectfully submit that Gunn fails to teach or suggest the limitations recited in Claim 8 of the present invention. More specifically, Gunn does not teach or suggest the presence

of more than one fan motor, or selectively disposing a first fan motor or a second fan motor in an orientation for driving a fan as recited in Claim 8. Furthermore, the Applicants respectfully assert that the interpretation of Claim 8 cited in the rejection unreasonably equates the software recited in Column 3, lines 53-62, with the fan motor selector mechanism recited in Claim 8. Similarly, the Applicants respectfully assert that the interpretation of Claim 8 cited in the rejection unreasonably equates the driving of fan 122 by either control board 108 or control board 109 with the claim limitation of disposing the orientation of a first fan motor or a second fan motor for driving a fan. While a broad interpretation of the claim limitations is permitted, the interpretations cited in the rejection are overly broad and exceed a reasonable interpretation of the recited claim limitations. Accordingly, the Applicants respectfully submit that Claim 8 is not anticipated by Gunn and overcomes the rejection under 35 U.S.C. § 102 (b).

Claims 9, 11, and 12 depend from independent Claim 8 and recite additional limitations descriptive of embodiments of the present invention. Accordingly, the Applicants respectfully submit that Claims 9, 11, and 12 are not anticipated by Gunn and overcome the rejection under 35 U.S.C. § 102 (b).

Claims 15, 17, and 19 are rejected under 35 U.S.C. § 102 (b) as being anticipated by Garrett et al., (U.S. Patent 5,938,407), hereinafter referred to as "Garrett." The Applicants respectfully submit that Garrett does not teach or suggest the claim limitation recited in independent Claim 15 of:

provided said measured performance characteristic of said first fan motor does not meet said specified fan motor performance requirement, automatically disposing said fan motor subassembly in an orientation for disengaging said first fan motor from said fan and engaging said fan with said second fan motor.

Instead, Garrett shows that upon failure, primary motor 7 remains engaged with fan 4 via fan shaft 23. Accordingly, the Applicants respectfully submit that Claim 15 is not anticipated by Garrett and overcomes the rejection under 35 U.S.C. § 102 (b).

Claims 17, and 19 depend from independent Claim 15 and recite additional limitations descriptive of embodiments of the present invention. Accordingly, the Applicants respectfully submit that Claims 17, and 19 are not anticipated by Gunn and overcome the rejection under 35 U.S.C. § 102 (b).

35 U.S.C. § 103 Rejections

Claims 6, 7, 13, and 14 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Winkel, or Gunn in further view of Huynh et al., (U.S. Patent 6,040,668), hereinafter referred to as "Huynh." As discussed above with reference to Claim 1, neither Winkel nor Gunn teach or suggest selectively coupling either a first fan motor or a second fan motor to a fan. Similarly, with regard to Claim 8, neither Winkel nor Gunn teach or suggest a fan motor selector mechanism configured to selectively dispose a first fan motor or a second fan motor in an orientation for driving a fan. Claims 6 and 7 are dependent upon Claim 1 and Claims 13 and 14 are dependent upon Claim 8.

The Applicants respectfully submit that Huynh fails to overcome the shortcomings of Winkel and/or Gunn. More specifically, Huynh alone, or in combination with Winkel and/or Gunn, does not teach or suggest the use of more than one fan motor (e.g., 24) much less selectively coupling either a first fan motor or a second fan motor to a fan as recited in Claim 1. Similarly, the Applicants respectfully submit that Huynh alone, or in combination with Winkel and/or Gunn, does not teach or suggest the use of more than one fan motor (e.g., 24) much less selectively disposing a first fan motor or a second fan motor in an orientation for driving a fan as recited in Claim 8 of the present invention. Accordingly, the Applicants respectfully submit that Claims 6, 7, 13, and 14 are not rendered obvious by Winkel alone, or in combination with Gunn and/or Huynh, and respectfully submit that Claims 6, 7, 13, and 14 overcome the rejection under 35 U.S.C. § 103 (a).

CONCLUSION

Based on the arguments presented above, the Applicants respectfully assert that Claims 1-19 overcome the rejections of record and, therefore, the Applicants respectfully solicit allowance of these Claims.

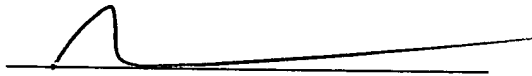
The Applicants have reviewed the references cited but not relied upon. The Applicants did not find these references to show or suggest the present claimed invention: U.S. 2,936,107, U.S. 3,477,637, U.S. 4,352,635, U.S. 6,400,045, U.S. 5,008,561, U.S. 5,759,016, U.S. 6,626,653.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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